

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 7159

BILL NUMBER: SB 303

NOTE PREPARED: Feb 3, 2009

BILL AMENDED: Feb 2, 2009

SUBJECT: Adoption Records.

FIRST AUTHOR: Sen. Miller

FIRST SPONSOR:

BILL STATUS: CR Adopted - 1st House

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: This bill requires a person that is required to store, maintain, or release certain adoption records or other adoption information to store and maintain the records or other information for at least 99 years from the date the adoption is filed, unless the records or other information are transferred to the State Registrar. The bill specifies that certain records may be automatically transferred to the State Registrar. This bill also provides that the adoption records or other adoption information may be stored and maintained in an electronic or other format.

The bill requires the State Registrar and certain other agencies to provide identifying information to adult adoptees unless the adoptee's birth parent has filed a non-release form. (Under current law, the state registrar and other agencies may only release identifying information with respect to adoptions filed before January 1, 1994 if a consent form has been filed). This bill also provides that identifying information concerning pre-1994 adoptions may only be released beginning in July 2010. It makes conforming amendments. (The bill repeals two chapters concerning pre-1994 adoptions).

Effective Date: July 1, 2009.

Explanation of State Expenditures: (Revised) This bill may increase the workload of the State Registrar to provide identifying information to additional adult adoptees who were adopted before January 1, 1994. Actual increases in workload are unknown.

Background Information: The State Department of Health (ISDH) reports that currently they maintain all birth, death, and adoption records indefinitely. Any costs associated with storing adoption records for the

specified time period would already be incurred by ISDH. The bill will not impact operations regarding record keeping in the ISDH.

The Department of Child Services (DCS) reports that when an adoption concerning DCS occurs, the court in which the adoption is finalized houses all related adoption records. The Division of State Court Administration reports that adoption records are also required to be maintained permanently.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: ISDH.

Local Agencies Affected:

Information Sources: Scott Zarazee, ISDH; Ann Houseworth, DCS; Loretta Oleksy, Division of State Court Administration.

Fiscal Analyst: Bill Brumbach, 232-9559.